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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/817,830	03/26/2001	Sangita R. Sharma	42390P10455	7805

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EXAMINER	
VO, HUYEN X	

ART UNIT	PAPER NUMBER
2655	

DATE MAILED: 04/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/817,830	SHARMA ET AL.	
	Examiner	Art Unit	
	Huyen Vo	2655	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 November 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2,4-7,9-12,14-17,19-22,24-27,29-32,34 and 35* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-2, 4-7, 9-12, 14-17, 19-22, 24-27, 29-32, and 34-35* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *26 March 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

Applicant has submitted an amendment filed 11/19/2004, amending independent claims 1, 11, 21, and 26, while arguing to traverse the art rejection based on amended limitations regarding "*wherein, when there is a network connection between the client device and the server, the server and client device together implement a single user speech recognition system in which speech data is received by the server solely from the client device such that the acoustic model adaptor adapts a client device specific acoustic model particularly for the client device*" (*see claim amendment*). Applicant's arguments have been fully considered but they are not persuasive. Kanevsky et al. (US 6442519) fully anticipates this limitation in that the server having speaker-dependent speech recognition capability receives speech input from the client device and performs speech recognition using speaker-dependent speech models (*col. 4, lines 1-67*). Kanevsky et al. also teach the step of adapting speaker using acoustic models that are similar to the speaker's voice characteristics (*col. 7, lines 1-67*).

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless – (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-2, 5-7, 9-12, 15-17, 19-22, 24-27, 30-32, and 34-36 are rejected under 35 U.S.C. 102(e) as being anticipated by Kanevsky et al. (US 6442519).

3. Regarding claim 1, Kanevsky et al. disclose an apparatus comprising: a server to couple to a client device having speech recognition functionality (*figure 1, client devices 102-104 and server 106*); and an acoustic model adaptor locatable at the server to adapt an acoustic model for the client device (*col. 7, ln. 19 to col. 8, ln. 64*); and wherein, when there is a network connection between the client device and the server (*figure 1*), the server and client device together implement a single user speech recognition system in which speech data is received by the server solely from the client device such that the acoustic model adaptor adapts a client device specific acoustic model particularly for the client device (*col. 7, lines 1-67*).

4. Regarding claims 11 and 26, Kanevsky et al. disclose a method and machine-readable medium having stored thereon instructions, comprising: storing a copy of an acoustic model for a client device having speech recognition functionality (*col. 4, ln. 29-46*); receiving speech data from the client device (*col. 4, ln. 29-65*); and adapting the acoustic model for the client device (*col. 7, ln. 19 to col. 8, ln. 64*); and wherein, when there is a network connection between the client device and the server (*figure 1*), the server and client device together implement a single user speech recognition system in which speech data is received by the server solely from the client device such that the

acoustic model adaptor adapts a client device specific acoustic model particularly for the client device (*col. 7, lines 1-67*).

5. Regarding claim 21, Kanevsky et al. disclose a system comprising: a server to couple to a client device having speech recognition functionality, the client device and server being coupled through a network (*figure 1, client devices 102-104 and server 106*); and an acoustic model adaptor locatable at the server to adapt an acoustic model for the client device (*col. 7, ln. 19 to col. 8, ln. 64*); and wherein, when there is a network connection between the client device and the server (*figure 1*), the server and client device together implement a single user speech recognition system in which speech data is received by the server solely from the client device such that the acoustic model adaptor adapts a client device specific acoustic model particularly for the client device (*col. 7, lines 1-67*).

6. Regarding claims 2, 12, 22, and 27, Kanevsky et al. further disclose that the client device is a mobile computing device (*PDA 104 in figure 1*).

7. Regarding claims 5, 15, and 30, Kanevsky et al. further disclose that the client device includes local memory to store extracted speech feature data (*col. 4, ln. 29-46, local acoustic model is represented by speech features*).

8. Regarding claims 6-7, Kanevsky et al. further disclose that the acoustic model adaptor of the server receives digitized raw speech data and extracted speech feature data when there is a network connection between the client device and the server (*col. 4, ln. 29-65*).

9. Regarding claims 9-10, 19-20, 24-25, and 34-35, Kanevsky et al. further disclose that the server stores the adapted acoustic model (*col. 7, ln. 19 to col. 8, ln. 64*), and the client device downloads and stores the adapted acoustic model (*col. 7, ln. 19-40*).

10. Regarding claims 16-17 and 31-32, Kanevsky et al. further disclose that the speech data includes digitized raw speech data and extracted speech feature data (*col. 4, ln. 29-65*).

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

12. Claims 4, 14, and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kanevsky et al. (US 6442519).

13. Regarding claims 4, 14, and 29, Kanevsky et al. do not disclose that the client device includes local memory to store digitized raw speech data. However, the examiner takes official notice that a typical communication device would include a memory buffer for storing digitized voice data before transmitting the voice data to the other communication device. The advantage of this is to enable the system to control the flow of the transmitting voice data.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP§706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huyen Vo whose telephone number is 703-305-8665. The examiner can normally be reached on M-F, 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doris To can be reached on 703-305-4827. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HXV

April 19, 2005

SUSAN MCFADDEN
PRIMARY EXAMINER